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Code**

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**7.17.010 Definitions.**

For the purpose of this chapter, the following terms are defined and shall be construed as hereinafter set forth, unless the context clearly means otherwise:

A. "Ambulette" means a motor vehicle specially constructed, modified, equipped, or arranged for the purpose of transporting sick, injured, invalid, convalescent, infirm, or otherwise incapacitated persons whose medical condition requires transportation services but does not require emergency services or equipment during transport.

B. "Ambulette attendant" means any person who is employed to accompany an ambulette driver while transporting in an ambulette from any location in the unincorporated area of the county any person whose medical condition requires nonemergency medical transportation.

C. "Ambulette driver" means any person who drives an ambulette in which is transported, from any location in the unincorporated area of the county, any person whose medical condition requires nonemergency medical transportation.

D. "Ambulette operator" means any person who for any monetary or other consideration, or as an incident to any other occupation, transports in one or more ambulettes from any location in the unincorporated areas of the county one or more persons whose medical condition requires nonemergency transportation.

E. "Litter van" means a vehicle which is modified, equipped, and used for the purpose of providing nonemergency medical transportation for those patients with stable medical conditions who require the use of a litter or gurney and which is not routinely equipped with the medical equipment or personnel required for the specialized care provided in an ambulance.



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Both a driver and an attendant are required on any transport requiring the use of a litter van.

F. "Litter van patient" means a patient whose medical condition is such that the patient may be transported by a litter van.

Patients in this category are patients who must be transported in a prone position because the patient is unable to sit for the period of time needed for transport, and requires a gurney and more space than is available in passenger cars, taxicabs, or other forms of public transportation; and do not require the special services, equipment, and personnel of an ambulance because the patient is in a stable condition and does not need constant observation.

G. "Local EMS agency" means the county of Los Angeles department of health services, designated by the board as the local EMS agency pursuant to Health and Safety Code Sections 1797, et seq.

H. "Medical transport van" means an ambulette which is modified, equipped, and used for the purpose of providing nonemergency medical transportation for those patients with stable medical conditions who require transportation to or from medical facilities, and who cannot use a standard passenger vehicle, taxicab, or other public transportation.

I. "Wheelchair van" means an ambulette used for nonemergency transportation of patients in stable medical condition who require the use of a wheelchair. (Ord. 96-0068 § 2, 1996: Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.020 License--Required--Fee.**

Every ambulette operator shall first procure a license and pay an annual license fee in the amount set forth in Section 7.14.010 of this title. (Ord. 96-0068 § 3, 1996: Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.030 License--Exemptions.**

No ambulette operator license is required where the ambulette operator is a public agency. (Ord. 96-0068 § 4, 1996: Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.040 License--Application--Information required.**

Every application for an ambulette operator's license shall be signed by the applicant and filed with the local EMS agency. In addition to the requirements of Section 7.06.020 of this title, the

application shall contain the following information:

- A. The financial status of the applicant, including the amount of all unpaid judgments against the applicant and the nature of the transactions or acts giving rise to said judgments;
- B. Areas within which the applicant proposes to operate;
- C. The number and type, age, condition, and patient capacity of each ambulette proposed to be operated by the applicant, and a description of the premises which are to serve as the base of operations;
- D. Kind and amount of automobile liability, public liability, product, and professional liability, Worker's Compensation, and other insurance of the applicant;
- E. The color scheme and insignia to be used to designate the ambulettes of the applicant;
- F. The experience of the applicant in the transportation and care of sick, convalescent, or injured persons; and
- G. Schedule of rates proposed to be charged by the applicant, where not otherwise prescribed by this chapter;
- H. Such further information as either the sheriff or the local EMS agency may require. (Ord. 96-0068 § 5, 1996: Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.050 License--Application--Hearing required.**

Except as otherwise provided in Section 7.06.260, the director of the department of health services shall hold a public hearing on every application for an ambulette operator's license required by this chapter, and shall give notice of such hearing as provided in Section 7.10.100 of this code. (Ord. 92-0132 § 10, 1992: Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.060 License--Issuance conditions.**

Except as provided by Sections 7.06.200 through 7.06.260 of this title, the director of the department of health services shall determine whether or not public convenience, necessity, and safety, require the issuance of an ambulette operator's license, and may take into consideration all facts as he or she may deem pertinent and proper, which shall include whether or not:

- A. The applicant has complied with all of the provisions of the title;
- B. The applicant is financially responsible and under efficient management;
- C. The applicant is, under normal conditions, serving or likely to serve the public adequately;
- D. The applicant has presented evidence sufficient to justify that public health, safety, welfare, and convenience warrant

operation of the ambulette service within the specified operating area;

E. The applicant is a fit and proper person to have an ambulette operator's license. (Ord. 96-0068 § 6, 1996: Ord. 92-0132 § 11, 1992: Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.070 Litter vans and wheelchair vans.**

Every litter van and wheelchair van, whether transporting Medi-Cal beneficiaries or not, shall be operated and equipped to comply with the applicable standards promulgated pursuant to Section 14136 of the Welfare and Institutions Code of the state of California. (Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.071 Vehicle permit--Required.**

Every ambulette, including ambulettes described as medical transportation vans, wheelchair vans, or litter vans, used for transporting any person, which person entered or was placed in such ambulette at any location in the unincorporated area of the county, shall have and conspicuously display on the left rear portion of such vehicle a county seal issued by the local EMS agency. In addition, a copy of the vehicle license or temporary county authorization obtained under the provisions of this chapter shall be carried on the vehicle at all times. (Ord. 96-0068 § 7, 1996: Ord. 83-0201 § 5, 1983.)

#### **7.17.080 Rate schedule for ambulettes.**

A. An ambulette operator shall charge no more than the following rates:

1. Response to Call--Nonlitter Case:

One patient, \$36.50,

Two patients, each patient, \$22.75,

Three patients, each patient, \$19.25,

Four patients or more, each patient, \$14.00;

2. Response to Call--Litter Patient:

One patient, \$70.25,

Two patients, each patient, \$38.50;

3. Wheelchair Use: For the use of a wheelchair, \$5.50;

4. Waiting Time: for each 15-minute period or fraction thereof after the first 15 minutes of waiting time at the request of the person hiring the ambulette, \$8.00;

5. Mileage Rate: Each mile or fraction thereof, \$3.50, from pickup point to destination for each patient transported.

B. This section does not apply to a contract with the county.

(Ord. 96-0068 § 9, 1996: Ord. 83-0201 § 7, 1983: Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.081 Special charges.**

A. Requests for service after 7:00 p.m. and before 7:00 a.m. of the next day, may be subject to an additional charge of \$16.75.

B. Where other special services are requested by any patient or authorized representative thereof, a reasonable charge commensurate with the cost of furnishing such special service may be made; provided, that the ambulette operator shall file with the director of the department of health services a schedule of each special service proposed and the charge therefor in accordance with subsection G of Section 7.17.040, which charges shall be effective unless modified, restricted, or denied by the director of the department of health services.

C. This section does not apply to a contract with the county.

(Ord. 96-0068 § 10, 1996: Ord. 92-0132 § 12, 1992: Ord. 83-0201 § 8, 1983.)

#### **7.17.090 Vehicles--Odometer test.**

Every ambulette operator making any charges based on mileage shall have the odometer of each ambulette tested and certified annually by the department of agricultural commissioner/weights and measures in accordance with the procedures of that department as defined in Chapter 2.40. In the event that the department of agricultural commissioner/weights and measures does not have the testing equipment available at the time an operator applies for a new or replacement vehicle license, the operator shall register the vehicle with the department of agricultural commissioner/weights and measures and may obtain a temporary operating authorization from the local EMS agency pending testing by that department. The operator must, however, provide the local EMS agency with a copy of the device registration certificate issued for that vehicle and a certificate of accuracy from a state certified testing agency. Final license approval will be held pending testing and certification by the department of agricultural commissioner/weights and measures. For renewal licenses, the operator shall have odometer retested by the department of agricultural commissioner/weights and measures. A copy of the current paid device registration certificate shall be submitted at the time of license renewal. Ambulette operators licensed by the county, whose primary location is outside of Los Angeles County, must comply with the odometer testing requirements of the county of origin, and must



provide the local EMS agency with a current copy of that county's certification at time of application for a new ambulette vehicle license, replacement vehicle status, or ambulette license renewal. If the county of origin does not require odometer testing, the operator shall provide a copy of certificate from a state certified agency documenting the accuracy of each vehicle odometer. (Ord. 96-0068 § 11, 1996.)

### **7.17.100 License--Exemption for ambulance operators.**

A licensed ambulance operator may provide the service rendered by an ambulette operator without the necessity of an additional license. (Ord. 83-0017 § 4 (part), 1983.)

### **7.17.105 License probation, suspension, or revocation.**

A. The director of the department of health services may place on probation, suspend, or revoke an ambulette operator's license for failure by the licensee to comply, and maintain compliance with, or for violation of, any applicable provisions, standards, or requirements of state statute or regulation, of this code, or of any regulations promulgated hereunder. Prior probation or suspension of a license is not a requirement for revocation of a license.

B. Before probation, the director of the department of health services shall give written notice to the licensee. Said notice shall:

1. Specify the reasons for which the action is to be taken. Reasons shall include, but are not limited to:
  - a. Violations of this chapter which may not directly relate to public health and safety,
  - b. Failure to make, keep, and provide records required by this section or by county contract,
  - c. Providing unlicensed vehicles or noncertificated or unlicensed personnel,
  - d. Failure to pay required fees;
2. Set forth the term of the probation period not to exceed 120 days wherein the licensee has one or more minor violations;
3. Request a plan of correction for the violation(s), and specify the reasons the probation action is being taken; and
4. Be served on the licensee, either by delivery to its principal place of business or to its designated agent for service of such notices, if any.

If the licensee, subsequent to service of such a probation notice

under this subsection, remedies some or all of the conditions to which the notice refers, the director of the department of health services may rescind the probation period at any time.

The licensee may request a public hearing. However, the licensee has the burden of proof and may present evidence as to why such action should not be taken and to answer the evidence presented by the director of health services.

Hearings conducted pursuant to this subsection shall be conducted before an impartial hearing officer designated by the director of the department of health services who is not an employee of the department of health services. At the conclusion of said hearing, the hearing officer shall expeditiously prepare a written summary of the evidence and proposed findings and conclusions for consideration by the director.

The director of the department of health services shall issue a written decision within 15 county working days after the conclusion of the hearing.

C. Before suspension or revocation, the director of health services shall give written notice to the licensee. Said notice shall:

1. Specify the reasons for which the action is to be taken. Such reasons shall include, but are not limited to:
  - a. Violations of this chapter or of the California Code which are directly related to public health and safety,
  - b. Failure to maintain insurance coverage as defined in Section 7.17.110,
  - c. Failure to maintain Workers' Compensation insurance as defined in Section 7.17.130,
  - d. Repeated and continuous minor violations,
  - e. Conviction of a felony by the licensee,
  - f. Conviction of a criminal offense related to the use, sale, possession, or transportation of narcotics,
  - g. Aiding-abetting an unlicensed or uncertified person to evade the provisions of this title,
  - h. Using unlicensed ambulettes or unlicensed or noncertificated personnel;
2. Set forth a hearing date, of not more than 15 county working days nor less than seven county working days after the date of delivery of the notice to the licensee;
3. Specify the date, time, and place of the hearing; and
4. Be served on the licensee, either by delivery to its principal place of business or to its designated agent for service of such notices, if any.

D. If the licensee, subsequent to service of such a suspension or revocation notice under this section, remedies some or all of the conditions to which the notice refers, the director of the department of health services may rescind a suspension or revocation at any time.



E. At the hearing, the local EMS agency has the burden of proof and may present evidence as to why such action should be taken and may answer the evidence presented by the licensee.

F. The director of the department of health services may reduce the period of time for hearing under a suspension or revocation notice to no less than 24 hours when the director makes written preliminary findings that such action is necessary to protect the public health, safety, and welfare. When, as a result of such an emergency proceeding, a license is suspended or revoked, the licensee may request an additional hearing at which the licensee will have the burden of establishing renewed compliance justifying reinstatement of the license. Such additional hearing will be commenced within five days of the licensee's written request of the director. The request for, and the scheduling of, an additional hearing shall not stay operation of the suspension or revocation order.

G. Hearings conducted pursuant to this section shall be conducted before an impartial hearing officer designated by the director of the department of health services who is not an employee of the department of health services. At the conclusion of said hearing, the hearing officer shall expeditiously prepare a written summary of the evidence and proposed findings and conclusion for consideration by the director.

H. The director of the department of health services shall issue a written decision within 15 county working days after the conclusion of the hearing.

Except as may be specifically provided by this section or by other provisions of this chapter, the hearing and appeal rules and regulations reflected in Chapters 7.10 and 7.12 of this title are applicable to the license suspension or revocation proceedings referenced in this section. (Ord. 96-0068 § 12, 1996.)

#### **7.17.106 Failure to obtain license.**

An operator's failure to appropriately secure and maintain a county ambulette operator's business license or any other business license required by this chapter, may result in the penalties or fines defined in Chapter 7.04 of this title. In addition, the county may immediately suspend or terminate all county contracts with any such operator, if applicable. (Ord. 96-0068 § 13, 1996.)

#### **7.17.109 Ambulette staffing.**

No ambulette operator, ambulette driver, or ambulette attendant shall transport any litter van patient unless there is present in the litter van an ambulette driver and an ambulette attendant, both of whom are appropriately licensed and certified in accordance with the requirements of Sections 7.17.151 and 7.17.170. Ambulettes transporting patients who are semiambulatory or in wheelchairs must be staffed with a minimum of one ambulette driver licensed and certified in accordance with the requirements of Sections 7.17.151 and 7.17.170. (Ord. 96-0068 § 14, 1996.)

#### **7.17.110 Insurance.**

A. Every applicant for an ambulette operator's license shall obtain and maintain in full force and effect liability insurance, including, but not limited to, comprehensive general liability and comprehensive auto liability, each with a combined single limit of not less than \$1,000,000.00 per occurrence. Such insurance shall be primary to and not contributing with any other insurance covering or maintained by the county and shall name the county of Los Angeles as an additional insured. A deductible greater than \$5,000.00 per occurrence may be allowed with the approval of the county risk manager. Such insurance shall be provided by insurer(s) satisfactory to the county of Los Angeles. Evidence of such insurance satisfactory to the county shall be attached to the application and shall provide that the local EMS agency is to be given written notice at least 30 days in advance of any modification or termination of such insurance.

B. The minimum limits and forms of coverage of such liability insurance shall be subject to review and adjustment by the county risk manager at his or her sole option. (Ord. 96-0068 § 15, 1996; Ord. 92-0132 § 14, 1992; Ord. 86-0103U § 1, 1986; Ord. 83-0201 § 9, 1983; Ord. 83-0017 § 4 (part), 1983.)

#### **7.17.120 Indemnification and liability limitations.**

As a condition of the license, the licensee agrees to indemnify, defend and save harmless the county of Los Angeles, its agents, officers and employees from and against any and all liability, expense, including defense costs and legal fees, and claims for damages of any nature whatsoever, including but not limited to, bodily injury, death, personal injury, or property damage arising from or connected with the licensee's activities. (Ord. 83-0017 § 4 (part), 1983.)

### **7.17.130 Workers' Compensation insurance required.**

The director of the department of health services shall not grant any ambulette operator's license unless the applicant files with the local EMS agency a policy of Workers' Compensation insurance, or a certificate of consent to self-insure issued by the State Director of Industrial Relations, applicable to all employees of the applicant. The licensee shall thereafter maintain in full force and effect such coverage during the term of the license. Certificates or copies evidencing such coverage shall be provided to and maintained by the local EMS agency and shall provide that the local EMS agency be given written notices at least 30 days in advance of any modifications or termination of any such insurance. (Ord. 96-0068 § 16, 1996: Ord. 92-0132 § 15, 1992: Ord. 83-0017 § 4 (part), 1983.)

### **7.17.140 Unlawful acts by ambulette operators or attendants.**

No ambulette operator, driver or attendant shall give or receive, directly or indirectly, or cause to be given or received, any rebates, commissions or reserve rebates to any person or persons, or groups of any nature, except as provided herein. (Ord. 83-0017 § 4 (part), 1983.)

### **7.17.151 Ambulette driver and ambulette attendant requirements.**

Every ambulette driver and ambulette attendant shall meet the applicable standards established pursuant to Welfare and Institutions Code 14136 relating to persons providing nonemergency medical services; and

- A. Possess a valid Class B or Class C California driver's license or California ambulance driver's license; and
- B. Possess a current California Medical Examination Report (DL-51), if license is a Class A or Class B license; and
- C. Possess an American Red Cross community first aid and safety certificate or equivalent; or higher certification; and
- D. Possess a current county of Los Angeles ambulette personnel identification card issued by the county local EMS agency. An identification card shall be valid for two years from the date of issuance. Persons certificated or licensed at the EMT-1 level or higher shall not be required to possess an ambulette identification card. (Ord. 96-0068 § 18, 1996.)

#### **7.17.170 Driver's and attendant's license.**

A. Every ambulette driver and ambulette attendant shall maintain the applicable certificate(s) and license(s) required by Section 7.17.151 in full force and effect and carry such certificate(s) and license(s) at all times while engaged in the activity for which a certificate or license is required by this chapter.

B. Every ambulette driver and ambulette attendant shall obtain an identification card with an attached photograph from the local EMS agency, unless such ambulette driver or ambulette attendant is currently certified at the EMT-1 level or higher. Such identification card shall be carried by the driver and by the attendant at all times while serving on an ambulette. The local EMS agency shall collect a fee for each identification card in an amount sufficient to offset its costs in preparing same.

C. Every ambulette operator shall be responsible for promulgating and enforcing employee rules and complying with this section. An ambulette operator failing to promulgate or to enforce employee rules and regulations hereunder shall be subject to the penalties and fines of Chapter 7.04, and to disciplinary action under Section 7.17.105. (Ord. 96-0068 § 20, 1996: Ord. 92-0132 § 17, 1992: Ord. 83-0201 § 10 (part), 1983.)

#### **7.17.230 Vehicles--Operation when license suspended prohibited.**

A person shall not operate any ambulette at any time after notification by the local EMS agency of the suspension of the operator or ambulette vehicle license duly issued under this title. (Ord. 96-0068 § 21, 1996: Ord. 92-0132 § 21, 1992: Ord. 83-0201 § 11 (part), 1983.)

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